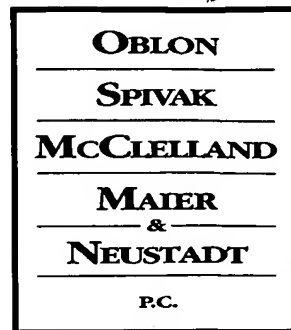




Docket No.: 242110US2S DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/656,283
Applicants: Keiji HOSOTANI, et al.
Filing Date: September 8, 2003
For: SEMICONDUCTOR MEMORY DEVICE USING
MAGNETO RESISTIVE ELEMENT AND METHOD
OF MANUFACTURING THE SAME
Group Art Unit: 2818
Examiner: L. TRAN

SIR:

Attached hereto for filing are the following papers:

**Petition for Consideration Under 37 CFR § 1.181(a)(3)
Date-stamped Filing Receipt (Copy)
Information Disclosure Statement (Copy)
Form PTO-1449 (copy)**

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

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Customer Number

22850

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Paul A. Sacher
Registration No. 43,418



DOCKET NO: 242110US-2S DIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KEIJI HOSOTANI, ET AL. : EXAMINER: L. TRAN
SERIAL NO: 10/656,283 :
FILED: SEPTEMBER 8, 2003 : GROUP ART UNIT: 2818
FOR: SEMICONDUCTOR MEMORY :
DEVICE USING MAGNETO RESISTIVE
ELEMENT AND METHOD OF
MANUFACTURING THE SAME.

PETITION FOR CONSIDERATION UNDER 37 CFR § 1.181(a)(3)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a Petition pursuant to 37 CFR § 1.181(a)(3) requesting that the Examiner be instructed by the Commissioner or his representative to notify Applicants of proper consideration of the Information Disclosure Statement (IDS) that was filed on May 13, 2004.

STATEMENT OF FACTS

On May 13, 2004, Applicants filed the above-noted IDS under 37 CFR §§ 1.97 and 1.98, which filings is clearly documented by the attached copy of the associated date-stamped Filing Receipt and copies of the IDS papers including the form PTO-1449. The United States Patent and Trademark Office has not responded to this IDS filing by supplying Applicants with a copy of the form PTO-1449, filed on May 13, 2004, that has been properly initialed by the Examiner.

POINT FOR REVIEW

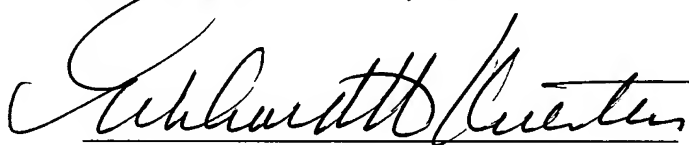
The point for review is why Applicants have not been provided a copy of the above-noted form PTO-1449, filed on May 13, 2004, properly initialed by the Examiner in compliance with the rules.

ACTION REQUESTED

In light of the above, it is respectfully requested that the Examiner be directed to provide Applicants a copy of the above-noted form PTO-1449, filed on May 13, 2004, properly initialed by the Examiner in compliance with the rules.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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43C

OSMM&N File No. 242110US2SDIV

Dept.: IP-1

By: MJS/ams

Serial No. 10/656,283

In the matter of the Application of: Keiji Hosotani, et al.

For: SEMICONDUCTOR MEMORY DEVICE USING MAGNETO RESISTIVE
ELEMENT AND METHOD OF MANUFACTURING THE SAME

Due Date: 05/24/04

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ Dep. Acct. Order Form
- ☒ Information Disclosure Statement ☒ PTO-1449
- ☒ PEOPLE'S REPUBLIC OF CHINA Office Action (with English translation)

COPY



COPY

Docket No. 242110US2S DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Keiji Hosotani, et al.

SERIAL NO: 10/656,283

GAU: 2818

FILED: September 8, 2003

EXAMINER:

FOR: SEMICONDUCTOR MEMORY DEVICE USING MAGNETO RESISTIVE ELEMENT AND METHOD OF MANUFACTURING THE SAME

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited in the attached People's Republic of China Office Action listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references:
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Customer Number

22850

Tel. (703) 413-3000
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(OSMMN 05/03)

Marvin J. Spivak

Registration No. 24,913

Form PTO 1449
(Modified)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
TRADEMARK NO. 242110US2SDIVSERIAL NO.
10/656,283

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT
Keiji Hosotani, et al.FILING DATE
September 8, 2003GROUP
2818

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,982,658	11/09/1999	L. L. BERG, et al.			
	AB	6,075,360	06/13/2000	J. MOUCHOT, et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO					
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY